


FROM	NAME & TITLE	THOMAS J. STOSUR, DIRECTOR	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	DEPARTMENT OF PLANNING 417 EAST FAYETTE STREET, 8 TH FLOOR		
	SUBJECT	BMZA / 19 South Carey Street		

TO Mr. David Tanner, Executive Director
Board of Municipal and Zoning Appeals
417 East Fayette Street, 14th Floor

DATE: November 3, 2011

REQUEST

The Department of Planning has received Adboul Aziz-Housseini's Board of Municipal and Zoning Appeals (BMZA) application to use the premises as two dwelling units, and construct a three-story rear addition spanning the width of the lot. We understand that this appeal is scheduled for hearing on November 22, 2011.

SITE

19 South Carey Street is located on the east side of the street, approximately 96'6" north of the intersection with Hollins Street. This property measures approximately 13'2" by 80' and is currently improved with a three-story attached residential mixed-use building measuring approximately 13'2" by 38'. This site is zoned B-2-3 and is located within the Poppleton Urban Renewal Plan area and the Union Square Historic District.

ANALYSIS

Use: In this zoning district, dwellings are listed as a permitted use, and so are allowed (§6-306). In this case, the property was last authorized for use as a multiple-family dwelling and a candy store, which are permitted uses, and a second-hand store, which is a nonconforming use in this B-2 Community Business District. This application would extinguish the nonconforming use of the property.

Conversion of Dwellings: In all districts except the R-2, R-4, R-5, and R-6 Districts, the Board may authorize, as a conditional use, the conversion of a building for use by more than one family, as long as the number of families permitted conforms with the applicable bulk regulations for the district in which the building is located (§3-305.b.1). Because the structure is currently vacant and was condemned on September 12, 2011, this property may have reverted to single-family dwelling status with regard to its residential use.

Insufficient Lot Area: In this zoning district, multiple-family dwellings require 550 square feet of lot area per dwelling unit (§6-311.d.). In this case, for two dwelling units, 1,100 square feet of lot area is required. The lot only encloses 1,053 square feet, and so does not meet this requirement.

Lot Area Variance: The Board may grant a variance to reduce the applicable minimum lot area requirements by no more than: (1) 25% of the applicable regulation (§15-202). In this case, the proposed amount of variance would be 4%. The variance requested is within the discretionary range of the Board and so may be allowed.

Urban Renewal Plan: This property is located in the Poppleton Urban Renewal Area, where the Urban Renewal Plan does not prohibit or further restrict the proposed use in this district. The Plan recommends changing the zoning of this property and others adjoining it from B-2-3 to R-8, a General Residence District in which multiple-family dwellings are permitted and from which most non-residential uses are excluded. This application is consistent with the goals and objectives of the Poppleton Urban Renewal Plan.

Historic District: The subject property is located within the Union Square District, a locally and nationally designated Baltimore City historic district, and may be eligible for historic tax credits for restoration and renovation. All exterior changes, including additions, demolitions, and alterations are subject to review and approval by the Commission for Historical and Architectural Preservation (CHAP). The applicant has already contacted CHAP and is aware of the historic preservation review process applicable to this property.

RECOMMENDATION

The Department of Planning recommends approval of the appeal, because approval would be consistent with the Urban Renewal Plan's recommendation to rezone this property for residential use, and would also extinguish nonconforming commercial use of the property.

TJS/wya/mf

cc: Adboul Aziz-Housseini, Appellant